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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,150	12/18/2001	Pascal Joly	50018447-1	6644

7590	01/27/2005

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EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-15 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for
> patent by another filed in the United States before the invention thereof
> by the applicant for patent, or on an international application by another
> who has fulfilled the requirements of paragraphs (1), (2), and (4) of
> section 371(c) of this title before the invention thereof by the applicant
> for patent.

The changes made to 35 U.S.C. 102(e) by the American

Inventors Protection Act of 1999 (AIPA) and the Intellectual

Property and High Technology Technical Amendments Act of 2002 do

not apply when the reference is a U.S. patent resulting directly

or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the

amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 1-15 are rejected under 35 U.S.C. 102(e) as being

anticipated by Barry USPN. (6615258).

As per claim 1, Barry teaches a network-based service provider

architecture (fig. 1 and fig. 7), comprising:

a plurality of cells hosting a multi-tiered application

environment (fig. 7, 39, 30 and 159 and col. 4, lines 21-54 and

col. 16, lines 6-20); and

a common logical network layer providing network

connectivity and enforcing individual access policy of each cell

of the plurality of cells, wherein each cell is connected to the

common logical network layer (fig. 7, interact infrastructure is

connected to OE server database which includes security

information and user access privileges col. 18, lines 30-60).

As per claim 2, Barry teaches the architecture of claim 1,

wherein each cell comprises one or more servers or devices, the

one or more servers or devices sharing network address space and

access policy (col. 18, lines 54 to col. 19, line 41 and col.

50, lines 35-37).

As per claim 3, Barry teaches the architecture of claim 1

wherein access policy comprises rules and mechanisms controlling

the flow of data in and out of each cell (col. 18, lines 30 to

col. 19, line 41).

As per claim 4, Barry teaches the architecture of claim 1

wherein access policy comprises at least one of authentication,

authorization, access enforcement, privacy protections and

integrity guarantees (col. 18, lines 63 to col. 19, line 33).

As per claim 5, Barry teaches the architecture of claim 1

wherein the network connectivity comprises at least one of a

local area network function and a wide area network function,

wherein the common logical network layer connects cells which

are geographically distant from each other (col. 3, lines 42-63

and col. 30, lines 53-69).

As per claim 6, Barry teaches the architecture of claim 1

wherein the network connectivity comprises connecting cells with

at least one of private user networks and the Internet (col. 10,

lines 36-58).

As per claim 7, Barry teaches the architecture of claim 1

wherein the multi-tiered application comprises any function or

service that uses resources from more than one cell (col. 9,

lines 10-37).

As per claim 8, Barry teaches the architecture of claim 1,

wherein the multi-tiered application environment comprises

infrastructure to host multiple users (col. 15, lines 36-59).

As per claim 9, Barry teaches the architecture of claim 1

wherein the cells of the multi-tiered application environment

comprise at least one of added value functions, system

administration functions and security monitoring functions (col.

15, lines 29-49 and col. 16, lines col. 16, lines 45-60).

As per claim 10, Barry teaches the architecture of claim 1,

wherein the plurality of cells comprises at least one front end

cell and a back end cell, the front end cell including a web

server front-end delivering content and the back end cell

including a database back-end (fig. 2 and fig. 7. see

corresponding columns).

As per claim 11, Barry teaches the architecture of claim 10,

wherein the front end cell comprises at least two front end

cells including a first front end cell and a second front end

cell, wherein access to the first front end cell is shared by
all users of the network-based service and access to the second
Front-end cell is limited to a designated user of the network-
based service (fig. 2 and fig. 7. col. 18, lines 30 to col. 19,
line 33).

As per claim 11, Barry teaches a method for providing a network-
based service (fig. 1 and fig. 7), comprising:

receiving data in a common logical network layer from at
least one of a cell of a plurality of cells of a multi-tiered
application and a network (fig. 7, 39, 30 and 159 and col. 4,
lines 21-54 and col. 16, lines 6-20);

enforcing access policy of a destination cell of the
plurality of cells to which the data is directed, if the data is
directed to a cell of the plurality of cells (col. 18, lines 6-
20 and col. 16, lines 54 to col. 19, line 41 and col. 50, lines
35-37);

enforcing access policy of a source cell of the plurality
of cells, if the data is received from a cell of the plurality
of cells (col. 18, lines 6-20 and col. 16, lines 54 to col. 19,
line 41 and col. 50, lines 35-37);

transmitting the data to at least one of the destination
cell and the network (col. 16, lines 16-20).

As per claim 13, Barry teaches the method of claim 12, wherein enforcing access policy comprises enforcing rules and mechanisms controlling the flow of data in and out of at least one of the source cell and destination cell (col. 18, lines 30 to col. 19, line 41).

As per claim 14, Barry teaches the method of claim 12, wherein enforcing access policy comprises performing at least one of authentication, authorization, access enforcement, privacy protections, and integrity guarantees col. 18, lines 63 to col. 19, line 33).

As per claim 15, Barry teaches the method of claim 12, wherein each cell of the plurality of cells comprises one or more servers or devices, the one or more servers or devices sharing network address space and access policy (col. 18, lines 54 to col. 19, line 41 and col. 50, lines 35-37).

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

Art Unit 2153

Dung C. Dinh
Primary Examiner